IN THE HIGH COURT OF JUDICATURE
AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.494 OF 2006

Moin Kasim Sab Qureshi ...Petitioner
Vs.
The State of Maharashtra & Ors. ...Respondents

Mr.A.K. Prajapati for the Petitioner
Mrs. A.S. Pai, A.P.P for the State

CORAM: SHRI J.N.PATEL &
SMT. ROSHAN DALVI, JJ.
DATED: 29TH AUGUST, 2006

P.C.

1. The learned A.P.P after seeking instructions from Mr. Rajendra B., P.S.I of Shahunagar Police Station, Bombay, who is personally present with the case diary states that the investigation in the case is almost over except Forensic Science Laboratory report regarding viscera and after receipt of the report I.O. Will approach the Medical Officer who conducted the autopsy on the dead body of Abdul Samad Qureshi and will get his final opinion as to cause of death.

It is most unfortunate that the father of Abdul Samad Qureshi who was assaulted by 4 persons was required to approach this Court at the stage when his son was injured and

hospitalised with a grievance that the police had registered N.C. Complaint dated 19th February, 2006 and thereafter no attention has been paid to the medical treatment of his son, by that time this Court took up the Petition, the son had already expired and the police were bound to take cognizance of the offence, register the crime and have taken trouble of investigating in the matter.

2. The concerned I.O assures the Court that he will approach the Forensic Science Laboratory and obtain the report within 2 weeks and after obtaining a final opinion of the Medical Officer file charge-sheet in the competent Court i.e. Metropolitan Magistrate, IX Court at Bandra of which due intimation will be given to the Petitioner.

3. In view of this nothing survives in the Petition. Authenticated copy of the order be supplied to the learned A.P.P for handing it over to the I.O. Who is personally present in the Court so that he can show the order of this Court to the Director, Forensic Science Laboratory for compliance and further charge-sheet can be filed as expeditiously as possible.

(SMT.ROSHAN DALVI, J.) **(SHRI. J.N. PATEL, J.)**